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09/259,981	03/01/1999	TIMOTHY BEAN	02950.P010	5937

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BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 900251026

EXAMINER	
BACKER, FIRMIN	

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 02/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

NM

Office Action Summary	Application No.	Applicant(s)	
	09/259,981	BEAN ET AL.	
	Examiner	Art Unit	
	Firmin Backer	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 January 2002* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)
16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
18) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
19) ☐ Notice of Informal Patent Application (PTO-152)
20) ☐ Other: .

Response to Amendment

This is in response to an amendment file on January 18th, 2002 for letter for patent filed on March 1st, 1999 in which claims 1-41 were presented for examination. In the amendment, claims 1-41 have been amended. Claims 1-41 remain pending in the letter.

Response to Arguments

1. Applicant's arguments with respect to claims 1-41 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanai et al (U.S. Patent No. 6,058,267) in view of Poterfield et al (U.S. Patent No. 5,991,843)

4. As per claim 1, 28 and 29, Kanai et al teach method/system of routing a transaction (*transaction routing unit, 4)*, the method comprising identifying a resource associated with a transactional processing system (*transaction processor, 7*) capable of servicing a transaction based upon resource data indicative of the capabilities of resources associated with the

transactional processing system and a transaction request indicative of a request associated with the transaction, and routing the transaction (*transaction transmission unit 106)* to the identified resource (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67, 28 lines 48-29 line 10*). Kanai et al fail to teach an inventive concept of receiving a transaction request with associate with the transaction. However, Porterfiled et al teach an inventive concept of receiving a transaction request with associate with the transaction (*see abstract and column 1 lines 28-39, 3 lines 21-47)*. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kanai et al's inventive concept to include Poterfield concept of receiving a transaction request with associate with the transaction because this would have ensured that transaction responses responsive to the transaction requests are transmitted according to the sequential order in which the transaction requests were received. In addition, it would have facilitated a bus agent includes a plurality of device managers to transmit the transaction requests to the computer device associated with the device manager.

5. As per claim 2, Kanai et al teach method of supplying the resource data and the transaction request to a transactional routing controller (*see fig 21 column 18 lines 19-50*).

6. As per claim 3, Kanai et al teach method wherein the transaction contains an identifier indicating the transaction request (*see column 32 lines 48-64*).

7. As per claim 4, Kanai et al teach method generating a data message in response to the transaction, the data message indicating the identifier to a transactional routing controller (*see column 32 lines 48-64*).

8. As per claim 5, Kanai et al teach method wherein the resource data is supplied from the transactional processing system and identifies the resource capabilities associated with each resource of the transactional processing system (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

9. As per claim 6, Kanai et al teach method of identifying a resource comprises: comparing the resource data to the transaction request; and determining a correlation between the resource data and the transaction request (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

10. As per claim 7, Kanai et al teach method of determining a correlation between the resource data and the transaction request is determined in accordance with a set of associated operating rules (*see column 29 line 51-30 line 35).*

11. As per claim 8, Kanai et al teach method of reserving the resource after identifying the resource as capable of servicing the transaction (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

12. As per claim 9, Kanai et al teach method of supplying a reservation response to a transactional routing controller indicating that the resource has been reserved (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*)..

13. As per claim 10, Kanai et al teach method of: generating a routing message based upon the reservation response, the routing message indicating the identity of reserved resource (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*)..

14. As per claim 11, Kanai et al teach method of: supplying the transaction to the reserved resource based upon the routing message (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

15. As per claim 12, Kanai et al teach method wherein the transaction is supplied to a queue associated with the identified resource, the queue being configured to supply the transaction to the identified resource (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

16. As per claim 13, Kanai et al teach method wherein the transaction is supplied to the transactional processing system, the transactional processing system being configured to supply the transaction to the identified resource (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

17. As per claim 14, Kanai et al teach method/system of routing a transaction (*transaction routing unit, 4)*, the method comprising identifying a resource associated with a transactional processing system (*transaction processor, 7*) capable of servicing a transaction based upon resource data indicative of the capabilities of resources associated with the transactional processing system and a transaction request indicative of a request associated with the

transaction; and supplying the transaction (*transaction transmission unit 106)* to the identified resource (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67, 28 lines 48-29 line 10*). Kanai et al fail to teach an inventive concept of a transaction handler to receive a transaction request with associate with the transaction. However, Porterfiled et al teach an inventive concept of a transaction handler receiving a transaction request with associate with the transaction (*see abstract and column 1 lines 28-39, 3 lines 21-47)*. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kanai et al's inventive concept to include Poterfield concept of a transaction handler receiving a transaction request with associate with the transaction because this would have ensured that transaction responses responsive to the transaction requests are transmitted according to the sequential order in which the transaction requests were received. In addition, it would have facilitated a bus agent includes a plurality of device managers to transmit the transaction requests to the computer device associated with the device manager.

18. As per claim 15, Kanai et al teach method wherein the transaction contains an identifier indicating the transaction request (*see column 32 lines 48-64*).

19. As per claim 16, Kanai et al teach method generating a data message in response to the transaction, the data message indicating the identifier to a transactional routing controller (*see column 32 lines 48-64*).

20. As per claim 17, Kanai et al teach method wherein the resource data is supplied from the transactional processing system and identifies the resource capabilities associated with each

resource of the transactional processing system (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

21. As per claim 18, Kanai et al teach method of identifying a resource comprises: comparing the resource data to the transaction request; and determining a correlation between the resource data and the transaction request (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

22. As per claim 19, Kanai et al teach method of reserving the resource after identifying the resource as capable of servicing the transaction (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

23. As per claim 20, 21, Kanai et al teach method of supplying a reservation response to a transactional routing controller indicating that the resource has been reserved (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*)..

24. As per claim 22, Kanai et al teach method of: generating a routing message based upon the reservation response, the routing message indicating the identity of reserved resource (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*)..

25. As per claim 23, Kanai et al teach method of: supplying the transaction to the reserved resource based upon the routing message (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

26. As per claim 24, Kanai et al teach method wherein the transaction is supplied to a queue associated with the identified resource, the queue being configured to supply the transaction to the identified resource (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

27. As per claim 25, Kanai et al teach method wherein the transaction is supplied to the transactional processing system, the transactional processing system being configured to supply the transaction to the identified resource (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

28. As per claim 26, Kanai et al teach method/system of routing a transaction (*transaction routing unit, 4)*, the method comprising identifying a resource associated with a transactional processing system (*transaction processor, 7*) capable of servicing a transaction based upon resource data indicative of the capabilities of resources associated with the transactional processing system and a transaction request indicative of a request associated with the transaction; and supplying the transaction (*transaction transmission unit 106)* to the identified resource (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67, 28 lines 48-29 line 10*). Kanai et al fail to teach an inventive concept a mean for receiving a transaction and generating a transaction request. However, Porterfiled et al teach an inventive concept of a mean for receiving a transaction and generating a transaction request (*see abstract and column 1 lines 28-39, 3 lines 21-47)*. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kanai et al's inventive concept to include

Poterfield concept of a mean for receiving a transaction and generating a transaction request because this would have ensured that transaction responses responsive to the transaction requests are transmitted according to the sequential order in which the transaction requests were received. In addition, it would have facilitated a bus agent includes a plurality of device managers to transmit the transaction requests to the computer device associated with the device manager.

29. As per claim 27, Kanai et al teach and apparatus to routing a transaction (*transaction routing unit, 4)*, comprising a transaction handler configured to receive and identifying a resource associated with a transactional processing system (*transaction processor, 7*) capable of servicing a transaction, wherein the transactional routing controller supplies the transaction to (*transaction transmission unit 106)* the identified resource (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67, 28 lines 48-29 line 10*).

30. As per claim 30, Kanai et al teach method of supplying the resource data and the transaction request to a transactional routing controller (*see fig 21 column 18 lines 19-50*).

31. As per claim 31, Kanai et al teach method wherein the transaction contains an identifier indicating the transaction request (*see column 32 lines 48-64*).

32. As per claim 32, Kanai et al teach method generating a data message in response to the transaction, the data message indicating the identifier to a transactional routing controller (*see column 32 lines 48-64*).

33. As per claim 33, Kanai et al teach method wherein the resource data is supplied from the transactional processing system and identifies the resource capabilities associated with each resource of the transactional processing system (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

34. As per claim 34, Kanai et al teach method of identifying a resource comprises: comparing the resource data to the transaction request; and determining a correlation between the resource data and the transaction request (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

35. As per claim 35, Kanai et al teach method of determining a correlation between the resource data and the transaction request is determined in accordance with a set of associated operating rules (*see column 29 line 51-30 line 35)*.

36. As per claim 36, Kanai et al teach method of reserving the resource after identifying the resource as capable of servicing the transaction (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

37. As per claim 37, Kanai et al teach method of supplying a reservation response to a transactional routing controller indicating that the resource has been reserved (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*)..

38. As per claim 38, Kanai et al teach method of: generating a routing message based upon the reservation response, the routing message indicating the identity of reserved resource (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*)..

39. As per claim 39, Kanai et al teach method of: supplying the transaction to the reserved resource based upon the routing message (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

40. As per claim 40, Kanai et al teach method wherein the transaction is supplied to a queue associated with the identified resource, the queue being configured to supply the transaction to the identified resource (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

41. As per claim 41, Kanai et al teach method wherein the transaction is supplied to the transactional processing system, the transactional processing system being configured to supply the transaction to the identified resource (*see fig 3-6, 25-27, column 5 lines 34-6 line 4, 10 line 43-59, 16 lines 35-67*).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is 703-305-0624. The examiner can normally be reached on Mon-Thu 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sheikh Ayaz can be reached on 703-305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3718 for regular communications and 703-305-5352 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Firmin Backer
February 18, 2002

DAVID WILEY
PRIMARY EXAMINER